

May 24, 2022

RE: COVID-19 Overtime Payment Calculations (S.1989/A.1105)

As a taxpayer, constituent and a member of the NYS Public Employees Federation, I urge you to pass legislation requiring all state employees to be fairly compensated for the overtime they worked during the COVID-19 pandemic (S.1989 by Sen. Jackson/A.1105 by Asm. Bronson)

Many state employees who rendered mandatory or voluntary overtime during the pandemic were concerned to see that the state was calculating their overtime pay based on either their contract salary or the job rate in which they were performing the duties, whichever was LOWER. As union workers, PEF members work under the terms and conditions of our contract which sets the salary for our services. This contract rate should serve as the MINIMUM base from which to calculate overtime payments, if any. Moreover, in instances where staff volunteer or are mandated to work in positions that provide higher salary rates, such staff should be provided overtime pay based on the job rate in which they are performing such services. Unfortunately, to date, neither the Office of Employee Relations nor the Division of the Budget has formally recognized this problem or adjusted the overtime payments for affected staff.

One thing that we have learned is that residents of this state recognize the importance of government services and the value the state workforce in times of crisis. Essential workers who sacrificed their time and risked their lives should not be subjected to the unfair, inappropriate and callous manipulation of their earned wages. This legislation would merely clarify the overtime provisions and ensure the appropriate payment of wages earned.

I urge you to work with your colleagues to pass this legislation, S.1989/A.1105, during this session.

Sincerely,